

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

Frances Robertson Plaintiff,

- against -

Merck & Co., Inc. Defendant.

6 ^{JD}_{cv} 01789 (JFK)

**MOTION TO ADMIT COUNSEL
PRO HAC VICE**

PURSUANT TO RULE 1.3(c) of the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York, I, (Anthony C. Donofrio) a member in good standing of the bar of this Court, hereby move for an Order allowing the admission pro hac vice of

Applicant's Name: Richard Wallis Ewing
Firm Name: Vickery Waldner & Mallia, LLP
Address: One Riveway Drive, Suite 1150
City/State/Zip: Houston, Texas 77056
Phone Number: (713) 526-1100
Fax Number: (713) 523-5939

Richard Wallis Ewing is a member in good standing of the Bar of the States of Texas

There are no pending disciplinary proceeding against Richard Wallis Ewing in any State or Federal court.

Dated: 3/19/2008

City, State: Houston, Texas

Respectfully submitted,

Sponsor's
SDNY Bar

Firm Name: Law Offices of Anthony Donofrio, PLLC.
Address: 5518 Merrick Road
City/State/Zip: Massapequa, New York 11758
Phone Number: 516-797-9797
Fax Number: 516-477-6700

FILED
U.S. DISTRICT COURT
S.D. OF N.Y.
2008 MAR 27 PM 2:15

UNITED STATES DISTRICT
SOUTHERN DISTRICT OF NEW YORK

Frances Robertson, et al
Plaintiff,

o6-md-01798 (JFK)

vs.

AFFIDAVIT OF ANTHONY C. DONOFRIO
IN SUPPORT OF MOTION TO ADMIT
COUNSEL *PRO HAC VICE*

Merck & Co., Inc.
Defendant

State of New York)
)
County of New York) ss:

Anthony C. Donofrio, being duly sworn, hereby deposes and say as follows:

1. I am of counsel at the Law Offices of Anthony C. Donofrio, counsel for Plaintiff in the above captioned action. I am familiar with the proceedings in this case. I make this statement based on my personal knowledge of the facts set forth herein and in support of Plaintiff's motion to admit Richard Wallis Ewing as counsel *pro hac vice* to represent Plaintiffs in this matter.
2. I am a member in good standing of the bar of the State of New York, and was admitted to practice law in 12/05/1990. I am also admitted to the bar of the United States District Court for the Southern District of New York, and am in good standing with this Court.
3. I have known Richard Wallis Ewing since 2004.
4. Richard Wallis Ewing is of Counsel at VICKERY WALDNER & MALLIA, LLP, in Houston, Texas.
5. I have found Richard Wallis Ewing to be a skilled attorney and a person of integrity. He is experienced in Federal practice and is familiar with the Federal Rules of Procedure.
6. Accordingly, I am pleased to move the admission of Richard Wallis Ewing, *pro hac vice*.
7. I respectfully submit a proposed order granting the admission of Richard Wallis Ewing, *pro hac vice*, which is attached hereto as Exhibit A.

WHEREFORE it is respectfully requested that the motion to admit Richard Wallis Ewing, *pro hac vice*, to represent Plaintiffs in the above captioned matter, be granted.

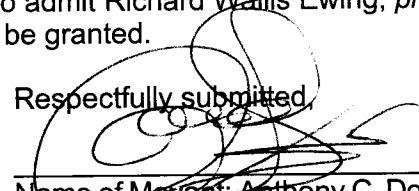
Dated: 3/19/08

City, State: Massachusetts, NY

Notarized:



Respectfully submitted,


Name of Movant: Anthony C. Donofrio
SDNY Bar Code:

CHRIS M. RUSSELL
NOTARY PUBLIC-STATE OF NEW YORK
No. 01RU6179552
Qualified in Suffolk County
My Commission Expires December 24, 2011

The Supreme Court of Texas

AUSTIN

CLERK'S OFFICE

I, **BLAKE HAWTHORNE**, Clerk of the Supreme Court of Texas, certify that the records of this office show that

Richard Wallis Ewing

was duly admitted and licensed as an attorney and counselor at law by the Supreme Court of Texas on the 5th day of December, 1957.

I further certify that the records of this office show that, as of this date

Richard Wallis Ewing

is presently enrolled with the State Bar of Texas as an active member in good standing.

IN TESTIMONY WHEREOF witness my hand

and the seal of the Supreme Court of
Texas at the City of Austin, this, the
3rd day of March, 2008.

BLAKE HAWTHORNE, Clerk

by Brad Sonogo
Brad Sonogo, Deputy Clerk

No. 0303D

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

Frances Robertson, et al Plaintiff,

6 cv 01789 (JFK)

- against -

Merck & Co., Inc. Defendant.

**ORDER FOR ADMISSION
PRO HAC VICE
ON WRITTEN MOTION**

Upon the motion of Anthony C. Donofrio attorney for Frances Robertson, et al
and said sponsor attorney's affidavit in support;

IT IS HEREBY ORDERED that

Applicant's Name: Richard Wallis Ewing
Firm Name: Vickery Waldner & Mallia, LLP
Address: One Riverway Drive, Suite 1150
City/State/Zip: Houston, Texas 77056
Telephone/Fax: (713) 526-1100
Email Address: rickewing@justiceseekers.com

is admitted to practice pro hac vice as counsel for Frances Robertson, et al in the above
captioned case in the United States District Court for the Southern District of New York. All attorneys
appearing before this Court are subject to the Local Rules of this Court, including the Rules governing
discipline of attorneys. If this action is assigned to the Electronic Case Filing (ECF) system, counsel shall
immediately apply for an ECF password at nysd.uscourts.gov. Counsel shall forward the pro hac vice
fee to the Clerk of Court.

Dated:
City, State:

United States District/Magistrate Judge

AFFIRMATION OF SERVICE

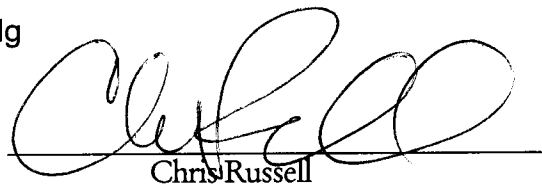
STATE OF NEW YORK)
) ss.:
COUNTY OF NASSAU)

I, Chris Russell, hereby affirms the following:

1. I am not a party to the action and am over 18 years of age;
2. I reside in Suffolk County, New York;
3. On MARCH 26, 2008, I served the within MOTION TO ADMIT COUNSEL PRO HAC VICE, depositing a true copy thereof enclosed in a post -paid wrapper, in an official depository under the exclusive care and custody of the United States Postal Service, within the New York State, addressed to each of the following persons at the last known address set forth after each name:

James M. Doran, Jr.
Lela M. Hollabaugh
Waller, Lansden, Dortch & Davis
511 Union Street Suite 2700
Nashville, TN 37219

James E. Gray
Michael B. MacWilliams
Stephen E. Marshall
David J. Heubeck
Paul F. Strain
Venable LLP (Baltimore)
Two Hopkins Plaza
1800 Mercantile Bank & Trust Bldg
Baltimore, MD 21201


Chris Russell

Sworn to before me this
26th day of MARCH, 2008


Notary Public

